THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 21759 OF 2006

Between:

Kodipaka Manaiah S/o Rajaiah, Jogipet (v),
Medak District

… Petitioner

And

The Station House Officer,
Nallakunta PS, Nallakunta, Hyderabad and others

… Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 21759 OF 2006

ORAL ORDER :

The writ petition is filed for a grievance that the 1st respondent has not arrested the 2nd respondent nor executed the Non Bailable Warrant issued by the IV Additional Chief Metropolitan Magistrate against the 2nd respondent in CC No. 719 of 2000. There being no response to the grievance in the writ petition by the 1st respondent, this court impleaded the Commissioner of Police as the 3rd respondent and called upon the said respondent to file a counter affidavit to the serious allegations in the writ petition.

The 3rd respondent has filed a counter affidavit stating that the 1st respondent received the NBWs issued against the

2nd respondent by the court on 23.6.2005, but failed to execute the same against the 2nd respondent. On learning of the administrative failure by the 1st respondent, the Deputy Commissioner of Police, East Zone, Hyderabad, the appropriate administrative authority, issued a charge memo dated 27.10.2006 to the 1st respondent for his negligent act and called for his explanation for further action under APCS (CCA) Rules 1991. The 3rd respondent further stated that on receipt of the explanation from the 1st respondent, appropriate action would be taken against him. The counter also states that the 2nd respondent, who was out of country, has returned and surrendered himself before the concerned court and the court also recalled the NBWs issued against the 2nd respondent and that this was intimated to the 1st respondent by the court on 1.11.2006.

In view of the aforesaid developments no further orders are required. The writ petition is accordingly dismissed. No order as to costs.

Dt: 09.11.2006 ----------

Pvsn Justice

G.Raghuram